

Panaji, 16th May, 2003 (Vaishaka 26, 1925)

SERIES I No. 7

OFFICIAL GAZETTE



GOVERNMENT OF GOA

Note: There are three Extraordinary issues to the Official Gazette Series I No. 6 dated 8-5-2003 as follows:—

- 1) Extraordinary dated 8-5-2003 from pages 171 to 174 regarding Addendum/Notification from Department of Personnel and Department of Transport respectively.
- 2) Extraordinary (No. 2) dated 8-5-2003 from pages 175 to 176 regarding Notification from Department of Civil Supplies and Consumer Affairs.
- 3) Extraordinary (No. 3) dated 14-5-2003 from pages 177 to 178 regarding Notifications from Department of Elections and Department of Revenue.

GOVERNMENT OF GOA

Department of Law & Judiciary

Legal Affairs Division

Notification

10/4/99-LA (Vol. IV)

The Passports (Amendment) Act, 2002 (Central Act No. 17 of 2002), which has been passed by the Parliament and assented to by the President of India on 28-3-2002 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 28-3-2002 is hereby published for the general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 10th January, 2003.

THE PASSPORTS (AMENDMENT) ACT, 2002

AN
ACT

further to amend the Passports Act, 1967.

BE it enacted by Parliament in the Fifty-third Year of the Republic of India as follows:—

1. Short title and commencement.— (1) This Act may be called the Passports (Amendment) Act, 2002.

(2) It shall be deemed to have come into force on the 23rd day of October, 2001.

2. Insertion of new sections 10A and 10B.—After section 10 of the Passports Act, 1967 (hereinafter referred to as the principal Act), the following sections shall be inserted, namely:—

'10A. Suspension of passports or travel documents in certain cases.— (1) Without prejudice to the generality of the provisions contained in section 10, if the Central Government or any designated officer is satisfied that the passport or travel document is likely to be impounded or caused to be impounded or revoked under clause (c) of sub-section (3) of section 10 and it is necessary in the public interest so to do, it or he may,—

(a) by order, suspend, with immediate effect, any passport or travel document;

(b) pass such other appropriate order which may have the effect of rendering any passport or travel document invalid,

for a period not exceeding four weeks:

Provided that the Central Government or the designated officer may, if it or he considers appropriate, extend, by order and for reasons to be recorded in writing, the said period of four weeks till the proceedings relating to variation, impounding or revocation of passport or travel document under section 10 are concluded:

Provided further that every holder of the passport or travel document, in respect of whom an order under clause (a) or clause (b) of this sub-section had been passed, shall be given an

opportunity of being heard within a period of not later than eight weeks reckoned from the date of passing of such order and thereupon the Central Government may, if necessary, by order in writing, modify or revoke the order passed under this sub-section.

(2) The designated officer shall immediately communicate the orders passed under sub-section (1), to the concerned authority at an airport or any other point of embarkation or immigration, and to the passport authority.

(3) Every authority referred to in sub-section (2) shall, immediately on receipt of the order passed under sub-section (1), give effect to such order.

10B. *Validation of intimations.*— Every intimation given by the Central Government or the designated officer, before the commencement of the Passports (Amendment) Act, 2002, to any immigration authority at an airport or any other point of embarkation or immigration, restricting or in any manner prohibiting the departure from India of any holder of the passport or travel document under sub-section (3) of section 10, shall be deemed to be an order under sub-section (1) of section 10A and such order shall continue to be in force for a period of three months from the date of commencement of the Passports (Amendment) Act, 2002, or the date of giving such intimation, whichever is later.

Explanation.— For the purposes of sections 10A and 10B, the expression "designated officer" means such officer or authority designated, by order in writing, as such by the Central Government.'

3. *Repeal and saving.*— (1) The Passports (Amendment) Second Ord. 11 of Ordinance, 2001, is hereby repealed. 2001.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

Notification

10/4/99-LA (Vol. IV)

The Institutes of Technology (Amendment) Act, 2002 (Central Act No. 16 of 2002), which has been

passed by the Parliament and assented to by the President of India on 28-3-2002 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 28-3-2002 is hereby published for the general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 10th January, 2003.

THE INSTITUTES OF TECHNOLOGY (AMENDMENT) ACT, 2002

AN

ACT

further to amend the Institutes of Technology Act, 1961.

BE it enacted by Parliament in the Fifty-third Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Institutes of Technology (Amendment) Act, 2002.

(2) It shall be deemed to have come into force on the 21st day of September, 2001.

2. *Amendment of section 2.*— In section 2 of the Institutes of Technology Act, 1961 (hereinafter 59 of 1961. referred to as the principal Act), for the words "Kanpur and the Indian Institute of Technology, Madras", the words "Kanpur, the Indian Institute of Technology, Madras and the Indian Institute of Technology, Roorkee" shall be substituted.

3. *Amendment of section 3.*— In section 3 of the principal Act,—

(a) in clause (c),—

(i) the word "and" appearing at the end of sub-clause (ii) shall be omitted;

(ii) in sub-clause (iii), after the words "the Indian Institute of Technology, Madras;", the word "and" shall be inserted; and

(iii) after sub-section (iii), the following sub-clause shall be inserted, namely:—

"(iv) in relation to the University of Roorkee, Roorkee, the Indian Institute of Technology, Roorkee;"

(b) after clause (k), the following clause shall be inserted, namely:—

'(l) "University of Roorkee" means the University of Roorkee established under the Roorkee University Act, 1947.' U.P Act IX of 1948.

4. *Amendment of section 4.*— In section 4 of the principal Act, after sub-section (IB), the following sub-section shall be inserted, namely:—

"(IC) The University of Roorkee, Roorkee shall, on such incorporation, be called the Indian Institute of Technology, Roorkee."

5. *Insertion of new section 5A.*— After section 5 of the principal Act, the following section shall be inserted, namely:—

"5A. *Effect of incorporation of Institute of Technology, Roorkee.*— On and from the commencement of the Institutes of Technology (Amendment) Act, 2002,—

(a) any reference to the University of Roorkee in any law (other than this Act) or in any contract or other instrument shall be deemed as a reference to the Indian Institute of Technology, Roorkee;

(b) all property, movable and immovable, of or belonging to the University of Roorkee, shall vest in the Indian Institute of Technology, Roorkee;

(c) all rights and liabilities of the University of Roorkee shall be transferred to, and be the rights and liabilities of, the Indian Institute of Technology, Roorkee;

(d) every person employed by the University of Roorkee immediately before such commencement shall hold his office or service in the Indian Institute of Technology, Roorkee by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, leave, gratuity, provident fund and other matters as he would have held the same if this Act had not been passed, and shall continue to do so unless and until his employment is terminated or

until such tenure, remuneration and terms and conditions are duly altered by the Statutes:

Provided that if the alteration so made is not acceptable to such employee, his employment may be terminated by the Indian Institute of Technology, Roorkee in accordance with the terms of the contract with the employee or, if no provision is made therein in this behalf, on payment to him by the Indian Institute of Technology, Roorkee of compensation equivalent to three months' remuneration in the case of permanent employees and one month's remuneration in the case of other employees:

Provided further that any reference, by whatever form of words, to the Vice-Chancellor and Pro-Vice-Chancellor of the University of Roorkee in any law for the time being in force, or in any instrument or other document, shall be construed as a reference to the Director and the Deputy Director, respectively, of the Indian Institute of Technology, Roorkee; and

(e) on the commencement of the Institutes of Technology (Amendment) Act, 2002, the Vice-Chancellor of the University of Roorkee, appointed under the provisions of the Roorkee University Act, 1947 shall be deemed to have been appointed as Director under the Act, and shall hold office for a period of three months or till such time the Director is appointed, whichever is earlier. U.P Act IX of 1948.

Explanation.— The reference in this section to the commencement of this Act shall be construed in relation to the Indian Institute of Technology, Roorkee as the reference to the date on which the provisions of the Institutes of Technology (Amendment) Act, 2002 come into force."

6. *Amendment of section 38.*— In section 38 of the principal Act,—

(a) after clause (d), the following clauses shall be inserted, namely:—

"(e) the Syndicate of the University of Roorkee functioning as such immediately before the commencement of this Act shall

continue to so function until a new Board is constituted for the Indian Institute of Technology, Roorkee under this Act, but on the constitution of a new Board under this Act, the members of the Syndicate holding office before such constitution shall cease to hold office;

(f) the Academic Council of the University of Roorkee functioning as such immediately before the commencement of this Act shall continue to so function until a new Senate is constituted for the Indian Institute of Technology, Roorkee under this Act, but on the constitution of a new Senate under this Act, the members of the Academic Council holding office before such constitution shall cease to hold office;

(g) until the first Statutes and the Ordinances in relation to the Indian Institute of Technology, Roorkee are made under this Act, the Statutes and Ordinances of the Indian Institute of Technology, Bombay as in force immediately before the commencement of the Institutes of Technology (Amendment) Act, 2002 shall apply to the Indian Institute of Technology, Roorkee with the necessary modifications and adaptations in so far as they are not inconsistent with the provisions of this Act;

(h) notwithstanding anything contained in the Institutes of Technology (Amendment) Act, 2002, any student who joined classes of the University of Roorkee on or after the commencement of 1994-95 academic session shall, for the purpose of clause (b) of sub-section (1) of section 6, be deemed to have pursued a course of study in the Indian Institute of Technology, Roorkee provided that such student has not already been awarded degree or diploma for the same course of study;

(i) if any difficulty arises in giving effect to the provisions of the Institutes of Technology (Amendment) Act, 2002, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty:

Provided that no order shall be made under this clause after the expiry of two years from

the commencement of the Institutes of Technology (Amendment) Act, 2002:

Provided further that every order made under this clause shall be laid, as soon as may be after it is made, before each House of Parliament."

(b) *Explanation* shall be numbered as *Explanation 1* thereof and after *Explanation 1* as so numbered, the following *Explanation* shall be inserted, namely:—

"*Explanation 2.*— The reference in clauses (e) and (f) of this section to the commencement of this Act shall be construed in relation to the Indian Institute of Technology, Roorkee as the reference to the date on which the provisions of the Institutes of Technology (Amendment) Act, 2002 come into force."

7. *Repeal and savings.*— (1) The Roorkee University Act, 1947 is hereby repealed. U.P. Act IX of 1948.

(2) The provisions of the General Clauses Act, 1897 shall apply to the repeal of the said Act as if the said Act were a Central Act. 10 of 1897.

(3) The Institutes of Technology (Amendment) Second Ordinance, 2001 is hereby repealed. Ord. 10 of 2001.

(4) Notwithstanding such repeal, anything done or any action taken under the repealed Ordinance shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act.

Notification

10/4/99-LA (Vol. IV)

The Inter-State Water Disputes (Amendment) Act, 2002 (Central Act No. 14 of 2002), which has been passed by the Parliament and assented to by the President of India on 28-3-2002 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 28-3-2002 is hereby published for the general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 10th January, 2003.

THE INTER-STATE WATER DISPUTES (AMENDMENT) ACT, 2002

AN

ACT

further to amend the Inter-State Water Disputes Act, 1956.

BE it enacted by Parliament in the Fifty-third Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Inter-State Water Disputes (Amendment) Act, 2002.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 1.*— In section 1 of the Inter-State Water Disputes Act, 1956 (hereinafter referred to as the principal Act), in sub-section (1), for the words "Inter-State", the words "Inter-State River" shall be substituted.

3. *Amendment of section 4.*— In section 4 of the principal Act,—

(a) for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) When any request under section 3 is received from any State Government in respect of any water dispute and the Central Government is of opinion that the water dispute cannot be settled by negotiations, the Central Government shall, within a period not exceeding one year from the date of receipt of such request, by notification in the Official Gazette, constitute a Water Disputes Tribunal for the adjudication of the water dispute:

Provided that any dispute settled by a Tribunal before the commencement of the Inter-State Water Disputes (Amendment) Act, 2002 shall not be re-opened.";

(b) for sub-section (3), the following sub-section shall be substituted, namely:—

"(3) The Central Government may, in consultation with the Tribunal, appoint two or more persons as assessors to advise the Tribunal in the proceedings before it."

4. *Amendment of section 5.*— In section 5 of the principal Act, for sub-sections (2) and (3), the following sub-sections shall be substituted, namely:—

"(2) The Tribunal shall investigate the matters referred to it and forward to the Central Government a report setting out the facts as found by it and giving its decision on the matters referred to it within a period of three years:

Provided that if the decision cannot be given for unavoidable reasons, within a period of three years, the Central Government may extend the period for a further period not exceeding two years.

(3) If, upon consideration of the decision of the Tribunal, the Central Government or any State Government is of opinion that anything therein contained requires explanation or that guidance is needed upon any point not originally referred to the Tribunal, the Central Government or the State Government, as the case may be, within three months from the date of the decision, again refer the matter to the Tribunal for further consideration, and on such reference, the Tribunal may forward to the Central Government a further report within one year from the date of such reference giving such explanation or guidance as it deems fit and in such a case, the decision of the Tribunal shall be deemed to be modified accordingly:

Provided that the period of one year within which the Tribunal may forward its report to the Central Government may be extended by the Central Government, for such further period as it considers necessary."

5. *Amendment of section 6.*— Section 6 of the principal Act shall be renumbered as sub-section (1) thereof and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:—

"(2) The decision of the Tribunal, after its publication in the Official Gazette by the Central Government under sub-section (1), shall have the same force as an order or decree of the Supreme Court."

6. *Amendment of section 9.*— In section 9 of the principal Act, in sub-section (1), after clause (b), the following clause shall be inserted, namely:—

"(ba) requisitioning of any data, as may be required by it;"

7. *Insertion of new section 9A.*— After section 9 of the principal Act, the following section shall be inserted, namely:—

"9A. *Maintenance of data bank and information.*— (1) The Central Government shall

maintain a data bank and information system at the national level for each river basin which shall include data regarding water resources, land, agriculture, and matters relating thereto, as the Central Government may prescribe from time to time. The State Government shall supply the data to the Central Government or to an agency appointed by the Central Government for the purpose, as and when required.

(2) The Central Government shall have powers to verify the data supplied by the State Government, and appoint any person or persons for the purpose and take such measures as it may consider necessary. The person or persons so appointed shall have the powers to summon such records and information from the concerned State Government as are considered necessary to discharge their functions under this section."

8. *Amendment of section 13.*— In section 13 of the principal Act, in sub-section (2), for clause (e), the following clause shall be substituted, namely:—

"(e) the terms and conditions of service of officers and assessors of the Tribunal;".

Notification

10/4/99-LA (Vol. IV)

The Jute Manufactures Cess (Amendment) Act, 2002 (Central Act No. 13 of 2002), which

has been passed by the Parliament and assented to by the President of India on 27-3-2002 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 27-3-2002 is hereby published for the general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 10th January, 2003.

THE JUTE MANUFACTURES CESS (AMENDMENT) ACT, 2002

AN

ACT

to amend the Jute Manufactures Cess Act, 1983.

BE it enacted by Parliament in the Fifty-third Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Jute Manufactures Cess (Amendment) Act, 2002.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, specify.

2. *Substitution of a new Schedule for Schedule to Act 28 of 1983.*— For the Schedule to the Jute Manufactures Cess Act, 1983, the following Schedule shall be substituted, namely:—

"THE SCHEDULE

[See sections 2(a) and 3 (1)]

Sl. No	Articles of jute manufacture	The maximum rate at which duty of excise may be collected	Actual rate at which duty of excise is to be collected until a different rate is specified by the Central Government
1	2	3	4
1.	Carpet Backing	Two per cent. <i>ad valorem</i>	One per cent. <i>ad valorem</i>
2.	Hessian	Two per cent. <i>ad valorem</i>	One per cent. <i>ad valorem</i>
3.	Sacking	Two per cent. <i>ad valorem</i>	One per cent. <i>ad valorem</i>
4.	Yarn and Twine	Two per cent. <i>ad valorem</i>	One per cent. <i>ad valorem</i>
5.	D. W. Tarpaulin	Two per cent. <i>ad valorem</i>	One per cent. <i>ad valorem</i>
6.	Decorative Fabrics	Two per cent. <i>ad valorem</i>	One per cent. <i>ad valorem</i>
7.	Cotton Bagging	Two per cent. <i>ad valorem</i>	One per cent. <i>ad valorem</i>
8.	Soil Saver	Two per cent. <i>ad valorem</i>	One per cent. <i>ad valorem</i>
9.	Japanese Rice Bags	Two per cent. <i>ad valorem</i>	One per cent. <i>ad valorem</i>
10.	Any other article of jute manufacture	Two per cent. <i>ad valorem</i>	One per cent. <i>ad valorem</i> ."

Department of Personnel

Notification

1/1/2003-PER

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the Governor of Goa hereby makes the following rules to regulate the recruitment to the Group 'C', Non-Ministerial, Non-Gazetted posts in the Department of Information Technology, Government of Goa, namely:—

1. *Short title, application and commencement.*—

(1) These rules may be called the Government of Goa, Department of Information Technology, Group 'C', Non-Ministerial, Non-Gazetted posts Recruitment Rules, 2003.

(2) They shall apply to the posts specified in column (1) of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of their publication in the Official Gazette.

2. *Number, classification and scales of pay.*—

The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns (2) to (4) of the said Schedule:

Provided that the Government may vary the number of posts in column (2) of the said Schedule from time to time subject to exigencies of work.

3. *Method of recruitment, age limit and other qualifications.*— The method of recruitment to the

said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns (5) to (13) of the said Schedule.

4. *Disqualification.*— No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. *Power to relax.*— Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

6. *Saving.*— Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes, and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

By order and in the name of the Governor of Goa.

D. M. Borkar, Joint Secretary (Personnel).

Panaji, 23rd April, 2003.

SCHEDULE

Name/ /Design- ation of posts	No. of posts	Classifi- cation	Scale of pay	Whether selection post or non-selec- tion post	Age limit for direct recruits	Whether the benefit of added years of service is admissible under Rule 30 of CCS (Pension) Rules, 1972.	Educational and other qualifications required for direct recruits	Whether age & educational qualifications prescribed for the direct recruit will apply in the case of promotees	Period of probation, if any	Method of recruit- ment, whether by direct or by promotion or by deputation/ /transfer/contract and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/ /deputation/ /transfer, grades from which promotion/ /deputation/ /transfer is to be made	If a D. P. C. exists, what is its composition	Circumstances in which Goa Public Service Comission is to be consulted in making recruitment
1	2	3	4	5	6	6 (a)	7	8	9	10	11	12	13
Execu- tive. Assis- tant.	3 (2003) Subject to varia- tion de- pendent on work- load.	Group 'C' Non- Ministe- rial Non- Gazet- ted.	Rs. 3050- 75-3950- 80-4590.	Selec- tion.	Not exceeding 40 years (Rela- xable for Go- vernment ser- vants upto 5 years in accor- dance with the instructions or orders issued by the Govern- ment).	N. A.	<i>Essential :</i> (1) Std. XIIth Pass. (2) Computer profi- ciency with knowledge of word process- ing, database & spreadsheet. (3) Typing with 30 words per minute. (4) Knowledge of Konkani. <i>Desirable:</i> Knowledge of Marathi.	N. A.	2 years.	By Direct Recruit- ment.	N. A.	Group 'C' D. P. C.	N. A.